

Docket No. 010188D1

Serial No. 10/674,039

REMARKS/ARGUMENTS

The Office action dated May 19, 2005 has been carefully considered. Claims 1-12 remain active in this application.

The rejection of claims 1-2 and 7-8 under 35 U.S.C. 101 is respectfully traversed. Applicants submit that claims 1-2 and 7-8 are within the purview of 35 U.S.C. 101 and meet the requirements set forth as being a new and useful process, machine, manufacture or composition of matter or a new and useful improvement thereof. However, claims 1 and 7 have been amended to more clearly define the invention so that their relation to technology is clearly appreciated. The steps of configuring computers and communicating using a satellite system, a terrestrial-based wireless communications system or a combination thereof, clearly enunciate the technology incorporated in the invention.

The rejection of claims under 35 U.S.C. 103(a) as being unpatentable over Storch in view of Thompson et al. is respectfully traversed. In order to further define claims 1-12, claims 1 and 7 have been amended. Claims 1 now recites "communicating with a first organization" and "control center having a plurality of computers for providing a communications path, using wireless communications consisting of a satellite system, a terrestrial-based wireless communications system, or a combination thereof, between the control center and the first personnel." Claims 1 and 7 further recite "contacting through the center, a second organization." As admitted in the Office action at page 3, Storch and Thompson fail to teach "mobile communications, a satellite, and a terrestrial-based wireless." Exception is taken with the Official Notice that it is "well known in the communication art to use satellite and a terrestrial based wireless communications" and that "a person having ordinary skill in the art would have been motivated to incorporate these well known communication medium into Storch in order to facilitate easy communications." Applicants request that the Examiner substantiate the Official Notice statement with support. It should be noted that in the case of Storch, a patent assigned on its face to Southwestern Bell, wireless and satellite communications would appear to be an anathema to the wireline communications of assignee's business. Applicants submit that the cited references fail to teach, suggest or make obvious applicants invention as recited in claims 1-12. Consequently, it is submitted that any rejection of claims 1 and 7 have been clearly overcome. Further, it is submitted that claims 2-6 and 8-9, which contain all of the limitations of claims from which they depend, are also patentably distinguishable from Storch.

Docket No. 010188D1

Serial No. 10/674,039

Claim 4 has been amended to correct a typographical error. The present tense of "communicate" is now used within claim 4.

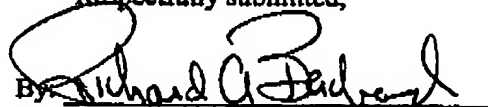
Unfortunately, the Office action as provided is defective in that the claims rejected under 35 U.S. C. 103 have not been clearly enumerated. The Office action merely states that "Claims are rejected under 35 U.S.C. 103" at page 3. Regardless, applicants submit that the claims are now patentably distinct from the cited art and should this not be clear, applicants request that a substitute Office action be issued in order to afford applicants a full and fair opportunity to present the merits of the invention as claimed.

In view of the amendment and remarks, this case is submitted as being in a condition for allowance. Favorable action is respectfully requested.

Applicants therefore respectfully request that a timely Notice of Allowance be issued in this case.

Dated: September 19, 2005

Respectfully submitted,

By 

Richard A. Bachand
Attorney for Applicant
Registration No. 25,107

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121-2779
Telephone: (858) 845-8503
Facsimile: (858) 658-2502